

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita et al.

Application No. 09/869,475

Filed: October 10, 2001

Confirmation No. 4309

For: GENE THERAPY FOR DIABETIC
ISCHEMIC DISEASE

Examiner: Quang Nguyen, Ph.D.

Art Unit: 1633

Attorney Reference No. 6235-59221-01

**FILED VIA EFS
ON DECEMBER 6, 2007**

SUBMITTED VIA ELECTRONIC FILING SYSTEM
COMMISSIONER FOR PATENTS

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of Examiner Quang Nguyen, Ph.D. mailed June 6, 2007, finally rejecting claims 9, 11, 12, 14, 48 and 51.

The fee \$510.00 per 37 C.F.R. § 1.41.20(b)(1) for filing this Notice of Appeal is being paid concurrently herewith via EFS.

Please consider this a petition for a three-month of extension of time for filing this Notice of Appeal. The extension fee of \$1,050.00 is being paid concurrently herewith via EFS.

The fees referenced above are being paid via EFS. Please charge any additional fees that may be required in connection with filing this Notice of Appeal and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550.

Respectfully submitted,

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